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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 LACHLAN WATERBURY, individually,) Case No.: C 06 02072 SBA (JL)
12 and on behalf of all others similarly)
12 situated,) CLASS ACTION
13 Plaintiff,)
14 vs.)
15 SAFEWAY, INC.,) CASE MANAGEMENT CONFERENCE
15 Defendants.) STATEMENT
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18 Plaintiff Lachlan Waterbury hereby submits the following Case Management Conference
19 Statement in the above-referenced matter.

20 This action is currently stayed because of a similar action pending in Los Angeles County
21 Superior Court, *Knoch v. Safeway Inc., et al.*, Los Angeles Superior Court Case No. BC 277481
22 (“*Knoch I*”) and its related case *Knoch v. Safeway Inc., et al.*, Los Angeles Superior Court case
23 No. BC 278726 (“*Knoch II*”).

24 On July 31, 2007, the Los Angeles Superior Court indicated that it would deny Plaintiff’s
25 Motion to Certify an Overtime Class in the *Knoch* cases. Plaintiff Waterbury continues to wait
26 for the Court to issue its Order in the *Knoch* cases for purposes of determining how to proceed
27 with litigation in the instant action.
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1 Plaintiff respectfully requests that the presently scheduled Case Management Conference
2 be vacated and a further Case Management Conference be set for 60 days from now.
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5 Dated: June 18, 2008
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SCOTT COLE & ASSOCIATES, APC

8 By: /s/ Matthew R. Bainer
9 Matthew R. Bainer, Esq.
10 Attorneys for the Representative Plaintiff
11 and the Plaintiff Class
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13 The Case Management Conference has been continued to August 27, 2008 at 10:30 a.m. in
14 Courtroom F.
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